



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Galen C. Hunt

Application No.: 09/197,080 **rcb 25 1999**

Filed: November 20, 1998 **Group 2700**

For: APPLICATION PROFILING USING
STRUCTURAL METADATA DESCRIPTION FOR
NETWORK-INDEPENDENT AUTOMATIC
PARTITIONING AND DISTRIBUTION

Date: February 16, 1999

Attorney's Matter No. 3382-51187

Art Unit: 2763

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on February 16, 1999, as First Class Mail in an envelope addressed to: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231.

Stephen A. Wight

Stephen A. Wight
Attorney for Applicant

TRANSMITTAL LETTER

TO THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

Enclosed for filing in the above-referenced application is the following:

- ☒ Information Disclosure Statement Pursuant to 37 C.F.R. § 1.97, Form PTO-1449, and copies of references cited.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit over-payment, to Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

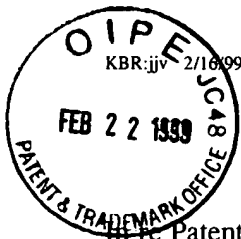
KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP

By *Stephen A. Wight*

Stephen A. Wight
Registration No. 37,759

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391; Facsimile: (503) 228-9446

cc: MS Patent Group Docketing (w/ enclosures)
Megan W. Thomas (w/o enclosures)



KBR:jjv 2/16/99 3382-51187 MS116626.2

PATENT
Atty. Ref. No. 3382-51187

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of: Galen C. Hunt

Application No.: 09/197,080

Filed: November 20, 1998

Art Unit: 2763

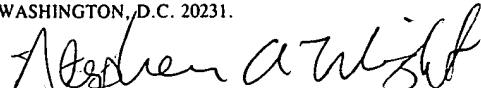
For: APPLICATION PROFILING USING
STRUCTURAL METADATA
DESCRIPTION FOR NETWORK-
INDEPENDENT AUTOMATIC
PARTITIONING AND DISTRIBUTION

Date: February 16, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on February 16, 1999 as First Class Mail in an envelope addressed to: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.


Stephen A. Wight
Attorney for Applicant

RECEIVED
FEB 25 1999
Group 2700

INFORMATION DISCLOSURE STATEMENT

Applicant submits herewith information of which he is aware, and which he believes may be material to the examination of the application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. §1.56. The information is listed on the attached Form PTO-1449 and copies are enclosed.

Applicant call the Examiner's attention to the following co-pending U.S. patent applications, which are commonly assigned as the above-referenced patent application:

- 1) Application No. 09/197,009
For: HEAVYWEIGHT AND LIGHTWEIGHT INSTRUMENTATION
Applicant: Galen C. Hunt
- 2) Application No. 09/197,246
For: REVERSIBLE LOAD-TIME DYNAMIC LINKING
Applicant: Galen C. Hunt
- 3) Application No. 09/197,242
For: DYNAMIC CLASSIFICATION OF SECTIONS OF SOFTWARE
Applicant: Galen C. Hunt
- 4) Application No. 09/197,211
For: SUMMARIZED APPLICATION PROFILING AND QUICK NETWORK
PROFILING
Applicant: Galen C. Hunt

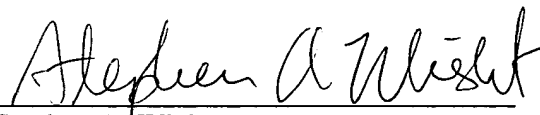
- 5) Application No. 09/197,226
For AUTOMATIC DETECTION OF PER-UNIT LOCATION CONSTRAINTS
Applicant: Galen C. Hunt
- 6) Application No. 09/196,836
For INSTRUMENTATION FOR RELATING INTERFACES AND UNITS,
WRAPPING INTERFACES, HANDLING UNDOCUMENTED INTERFACES,
AND DETECTING PAIR-WISE LOCATION CONSTRAINTS
Applicant: Galen C. Hunt
- 7) Application No. 09/196,974
For INTERCEPTION OF UNIT CREATION REQUESTS BY AN AUTOMATIC
DISTRIBUTED PARTITIONING SYSTEM
Applicant: Galen C. Hunt

In view of the secrecy provisions of 37 C.F.R. §1.14, Applicants have not provided a copy of the above-referenced co-pending U.S. patent applications because submitting a copy of these patent applications could be viewed as a waiver of the confidentiality that the Applicant is guaranteed under 35 U.S.C. § 122 and 37 C.F.R. § 1.14. Applicants have not listed these co-pending applications on the accompanying 1449 form and request that they not be listed on the face of the patent, in the event that it issues, to preserve their secrecy.

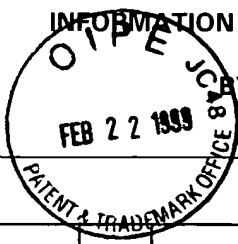
If a fee is required under 37 C.F.R. § 1.17(p), the Commissioner is hereby authorized to charge Deposit Account No. 02-4550.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP

By: 
Stephen A. Wight
Registration No. 37,759

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

INFORMATION DISCLOSURE STATEMENT BY APPLICANT 				Docket: 3382-51187		App: 09/197,080	
				Applicant: Galen C. Hunt			
				Filed: 11.20.98		Group: 2763	
U.S. PATENT DOCUMENTS							
Init. *		Number	Date	Name	Class	Sub	Filed
H.A.		3,427,443	02.11.69	C.T. Apple et al.			
		3,551,659	12.29.70	Forsythe			
		4,819,233	04.04.89	Delucia et al.			
		5,579,520	11.26.96	Bennett			
		5,752,038	05.12.98	Blake et al.			
		5,790,858	08.04.98	Vogel			
FOREIGN PATENT DOCUMENTS							
		Number	Date	Country	Class	Sub	
OTHER DOCUMENTS							
H.A.			Stephen J. Hartley, "Compile-Time Program Restructuring in Multiprogrammed Virtual Memory Systems," <i>IEEE Transactions on Software Engineering</i> , Vol. 14, No. 11, November 1988				
			R.R. Heisch, "Trace-directed program restructuring for AIX executables," <i>IBM J. Res. Develop.</i> , Vol. 38, No. 5, September 1994				
			Karl Pettis and Robert C. Hansen, "Profile Guided Code Positioning," Proceedings of the ACM SIGPLAN'90, Conference on Programming Language Design and Implementation, June 20-22, 1990				
			Chang et al., "Using Profile Information to Assist Classic Code Optimizations," <i>Software-Practice and Experience</i> , Vol. 21(12), 1301-1321, December 1991				
			Speer et al., "Improving UNIX Kernel Performance using Profile Based Optimization," 1994 Winter USENIX, January 17-21, 1994, San Francisco, CA				
			Thomas Ball and James R. Larus, "Optimally Profiling and Tracing Programs," <i>University of Wisconsin Computer Sciences Technical Report 1031</i> , September 6, 1991				

INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Docket: 3382-51187	App: 09/197,080	
			Applicant: Galen C. Hunt		
			Filed: 11.20.98	Group: 2763	
} H.R.			James R. Reardon and Thomas Ball, "Rewriting Executable Files to Measure Program Behavior," <i>University of Wisconsin Computer Sciences Technical Report 1083</i> , March 25, 1992		
			Vivek Sarkar, "Determining Average Program Execution Times and their Variance," ACM 0-89791-306/X/89/0006/0298, 1989		
			Robert Endre Tarjan, "Data Structures and Network Algorithms," CBMS-NSF Regional Conference Series in Applied Mathematics, Chapter 6, 71-83, 1983		
EXAMINER: <i>[Signature]</i>			DATE: 10/1/03		
*Examiner: Initial if considered, whether or not in conformance with MPEP 60; draw line through cite if not in conformance and not considered. Send copy.					

RECEIVED

FEB 25 1999

Group 2700